

## EXECUTIVE

Tuesday 5 October 2021

Present:

Councillor Bialyk (Chair)

Councillors Wright, Foale, Ghusain, Harvey, Morse, Sutton, Williams and Wood

In attendance:

Councillor A. Leadbetter (as an opposition group Leader)

Councillor K. Mitchell (as an opposition group Leader)

Councillor D. Moore (as an opposition group Leader)

Also present:

Chief Executive & Growth Director, Director Net Zero Exeter & City Management, Director Finance, Corporate Manager Democratic and Civic Support and Democratic Services Officer (MD)

In attendance:

Peter Burgess - Devon Wildlife Trust

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### PETER EDWARDS

The Leader reported that Peter Edwards, the former Leader of the Council, was currently in hospital. He passed on his good wishes, and those of all Members, for his speedy recovery.

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### MINUTES

The minutes of the meeting held on 07 September 2021, were taken as read, approved and signed by the Chair as a correct record.

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### DECLARATIONS OF INTEREST

No declarations of disclosable pecuniary interests were made.

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### QUESTIONS FROM THE PUBLIC UNDER STANDING ORDER NO. 19

No questions from members of the public were received.

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### NORTHBROOK PARK UPDATE

The Executive received the report which provided an update on the public consultation held on the future of Northbrook Park and to consider the proposed next steps. The Northbrook Park was a strategic location, providing movement of wildlife and a green link between two green spaces, which enabled people to move between parks and traffic free routes into the Quayside, Marsh Barton and the City Centre beyond.

Peter Burgess, the Conservation Director from Devon Wildlife Trust, was in attendance to provide a presentation on the benefits of the partnership working between Devon Wildlife Trust (DWT) and Exeter City Council. Key points raised from the presentation included:-

- that more than 1,000 people had been involved in 40 events held at the valley parks and 12 volunteer Rangers had been inducted;
- the volunteer events programme had planted 400 new trees, wildflower plugs and created new ponds at Northbrook;
- the Ludwell habitats and the Mincinglake access projects were two major schemes that had recently been undertaken;
- the consultation had highlighted the future for the area, new opportunities and identified the needs of residents;
- the Environment Agency were providing additional funding to support the re-naturalising of the Northbrook stream;
- the Northbrook Park consultation had received more than 755 responses which equated to 96% of residents being in support of the vision and of those consulted, 45% had volunteered to help work on at site; and
- DWT would continue to work with its partners and stakeholders to achieve the identified proposals set out in the presentation.

In response to Members' enquiries, Peter Burgess explained:-

- it was the intention to link the walking and cycling routes within the Park to those within the wider Green Circle;
- reflecting on the very positive public response, Crowd Funding could be utilised as a means of raising some funds and other funding streams would also be explored;
- strong connections already existed from Topsham Road to the park and public suggestions for further links would be followed up; and
- whilst the location of the car park had not been widely supported the need to cater for disabled parking was recognised;

Councillor D. Moore, as an opposition leader, enquired on whether carbon emission reduction had been calculated to support the enhancement of the project, in line with the 2030 Net Zero target.

Peter Burgess explained that the plans for the Park would be developed in line with the Council's Net Zero 2030 target through encouraging active travel to reduce car use, additional tree planting for carbon sequestration and supporting biodiversity.

Members welcomed the proposals and recognised the public enthusiasm for the project, noting particularly the value of this and other Valley Parks during lockdown. Members highlighted the Council's decision to work in partnership with the Devon Wildlife Trust had proven to have been of great benefit to the city and in conjunction with the Council's declaration of a Climate Emergency in July 2019, the Ecology Emergency in April 2021 and with the Net Zero 2030 target.

The Portfolio Holder for Environment and City Management welcomed the report and presentation and commended the sensible approach being used to deliver the Council's environmental ambitions. He praised the public response to the consultation, noting that there was great enthusiasm for the future plans as well as a strong desire to assist as volunteers and hoped that funds would be available to deliver the upgrades put forward by the public.

The Leader thanked Peter Burgess for his presentation noting that the key messages of the consultation were on the prioritisation of wildlife and the value of peace and tranquillity, which were in line with the Council's vision.

**RESOLVED** that:-

- (1) the results of the public consultation be noted; and
- (2) the next steps set out in the report for further developing the proposals for North Brook Park be approved in principle, subject to a detailed proposal presented to the Executive Committee at a future date.

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### **GOVERNMENT CONSULTATION ON GIVING POLICE AND CRIME COMMISSIONERS GREATER POWERS OF COMPETENCE**

The Executive received the report which provided details of the Government's consultation on granting Police and Crime Commissioners greater powers of competence. The Government consultation sought the specific views from Councils and would close on 27 October 2021. The report included draft responses to the Government's prescribed questions.

The Chief Executive & Growth Director, advised that the greater powers being sought would enhance the already excellent relationship between the Council and the Police and Crime Commissioner. The proposals would provide the Police Authority greater latitude beyond the existing functional powers and, in particular, would assist the Council in making efficient use of police assets around the city. The proposals were also likely to present opportunities for innovation and commercialisation.

**RECOMMENDED** that Council approve the response to the Government consultation on granting Police and Crime Commissioners greater powers of competence.

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### **OVERVIEW OF GENERAL FUND REVENUE BUDGET 2021/22 - QUARTER 1**

The Executive received the report on the overall financial position of the General Fund Revenue Budgets for the 2021/22 financial year after three months and sought Council approval for additional expenditure required during the financial year.

Particular reference was made to:-

- there was a relatively small variation in the General Fund and significant variations could be anticipated during the course of the year which reflected the steps taken as part of the Emergency Budget approved by the Council in July 2020 and the support from Central Government provided to offset losses caused by the Covid Pandemic. The strengthened surpluses would support any continued losses likely to be experienced again in the current financial year as a result of the continuing impact of the Pandemic;
- although the overall movement in the General Fund balance was quite low, and projected car park income was likely to reduce by £2 Million with other reductions for Markets and Halls, the Corn Exchange and other visitor facilities as well as the Leisure Centres, funding had been set aside to address these anticipated losses and the situation would continue to be monitored by officers over the financial year;
- the supplementary budgets requested, were from received Government grants and approval was being sought to use the money; and

- the reduction in the commercial property budget of £22,500 was a result of the conversion of property into offices for the Corn Exchange.

Members noted the report, and the Portfolio Holder for Leisure and Physical Activity, referred to the Council's decision to bring the Leisure contract in house and praised the work of the Leisure staff for their hard work to help minimise the financial impact from the Pandemic.

**RECOMMENDED** that Council notes and approves (where applicable):

- (1) the General Fund forecast financial position for the 2021 financial year;
- (2) the supplementary budgets as detailed in paragraph 8.10 of the report;
- (3) the outstanding Sundry Debt position as at June 2021; and
- (4) the creditors payments performance.

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### **GENERAL FUND CAPITAL MONITORING STATEMENT - QUARTER 1**

The Executive received the report on the current position of the Council's revised annual capital programme and the anticipated level of deferred expenditure into future years. The report further sought approval to amend the annual capital programme in order to reflect the reported variations.

Particular reference was made to:-

- the revised capital programme for the current financial year was £67.455 million of which £5.046 million had been spent in the first three months of the financial year, equating to 7.48%;
- a spend of £51.936m is forecast for 2021/22 with £15.498 million of the programme being deferred to 2022/23 and beyond. This was a result of delays in the construction industry and it was anticipated, that the Council would be asked to approve additional expenditure for certain schemes as a result of rising prices; and
- the additional budget provision of £50,000 per annum was requested for the purchase of IT equipment to include new iPad's for Councillors.

Councillor D. Moore, as an opposition leader, referred to the increase in anti-social behaviour around the Quayside and expressed concern that there were no proposals to replace Mallison Bridge, which was resulting in excess pedestrian and cyclist traffic. Given the increased development in the area, including restaurants, she felt that continued investment was important.

The Leader responded that the issue of anti-social behaviour would be raised at the next Community Safety Partnership meeting and that discussions would continue with the Exeter Canal and Quay Trust on investment opportunities for the area.

**RECOMMENDED** that Council to approve:

- (1) the overall financial position for the 2021/22 annual capital programme; and
- (2) the amendments and requests for further funding to the Council's annual capital programme for 2021/22.

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### **HRA BUDGET MONITORING REPORT - QUARTER 1**

The Executive received the report on the financial position of the HRA Revenue and Capital Budgets for the 2021/22 financial year after three months and the reported budgetary over/under-spend. The report further highlighted areas of risk, where certain budgets had been identified as being vulnerable to factors beyond the control of the Council, with potential deviations from budget, which were being monitored by officers.

Particular reference was made to the HRA budget, being on track, but it was likely to face reductions to the balance later in the year.

**RECOMMENDED** that Council to approve (where applicable):-

- (1) the HRA forecast financial position for 2021/22 financial year; and
- (2) the revision of the HRA Capital Programme to reflect the reported variations detailed in Appendix 4 of the report.

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### **REVIEW OF THE COUNCIL'S GOVERNANCE ARRANGEMENTS**

The Executive considered the report on the review of the Council's Governance Arrangements and the recommendations of the cross party Governance Review Board, following its review of the changes made to the Council's governance arrangements in October 2019. A review of the Governance arrangements had been deferred in 2020 because of the Covid Pandemic.

The Corporate Manager Democratic and Civic Support highlighted the headline features of the report and advised that the Review Board would meet on an annual basis to maintain and review the Council's Governance arrangements.

The Deputy Leader welcomed the recommendations shown in the report and highlighted that all the proposals had been supported by the cross party working group.

**RECOMMENDED** that Council approve the following changes to Exeter City Council's constitution with effect from the 18 October 2021:-

- (1) That Standing Order 44 be amended to state:-
  - (i) A member of the Council shall have the right to attend the meeting of any Committee, Sub-Committee or Executive of which he/she is not a member and may remain during consideration of both the public and private parts of the agenda. He/she may not vote at that meeting and may only speak or ask a question if he/she has given notice in writing (by electronic mail wherever possible) by 10.00 am on the day of the meeting to the Corporate Manager Democratic and Civic Support and has specified in the notice the particular agenda item or items on which he/she wishes to speak or ask a question.
  - (ii) Opposition group leaders shall not be required to give notice under Standing Order No. 44 to speak or ask a question on any items on the Executive agenda.
- (2) That the Petition Scheme be amended to:-
  - (i) request that petition signatories must identify through the tick box facility on the petition form, which of the eligibility criteria for living, working or studying in Exeter, they are relying upon in signing the petition. Any signatories which

do not so indicate, will not be included in those signatures which are accepted; and

- (ii) state that all petition organisers will be given the opportunity to speak for up to five minutes on their petition, when it is considered at any appropriate Council body to which it has been referred. For clarity, this includes the provision for organisers of petitions of over 2,000 signatures, to do so at the appropriate Council body to which it has been referred, as well as the ability to address the full Council when initially submitting the petition.

- (3) That Article 7.05 of the Constitution (The Executive) be amended to include the following paragraph:-

3. Executive Members will, on allocation by the Leader of the Council, assume roles as Portfolio Holder with specific responsibilities. These responsibilities will be listed in Part 3 (b) the Council's Constitution. For clarity, not all Executive members may be allocated a Portfolio holder responsibility by the Leader of the Council.

**RESOLVED** that:-

- (4) the focus of Scrutiny be reinforced to manage the available resources to develop scrutiny training for all Members;
- (5) the maximum use of available resources for Member training and development be continued, including joint training with other authorities as appropriate;
- (6) Deputy Chairs of Scrutiny Committees will provide a leadership role to any Task and Finish Groups or Spotlight Reviews, as and when established;
- (7) The Council's representation on outside bodies be reviewed and an Annual Feedback Form to Members for the Outside Bodies on which they sit be issued, and such information to be presented to the Governance Review Board for consideration; and
- (8) an annual meeting of the Governance Review Board be established to consider any necessary amendments to the Council's governance arrangements, and their findings to be presented to the relevant Council body for consideration and approval.

#### **AMENDMENTS TO THE SCHEME OF DELEGATION**

The Executive considered the report which set out the proposals to amend the Scheme of Delegation to Officers to match operational arrangements of the Council, to ensure suitable day to day operational decisions could be taken. Deputies were appointed to further ensure matters could be dealt with, even in the absence of the named officers.

The Corporate Manager Democratic and Civic Support, in presenting the report, advised that the Scheme of Delegation was reviewed on an annual basis to ensure that they were up to date and that no additional officer responsibilities had been added to the Scheme on this occasion.

**RECOMMENDED** that Council approve the changes to the Scheme of Delegation to Officers as set out in the Appendix of the report presented to the meeting.

100 **LOCAL GOVERNMENT (ACCESS TO INFORMATION) ACT 1985 - EXCLUSION OF PRESS AND PUBLIC**

**RESOLVED** that under Section 100A(4) of the Local Government Act 1972, the press and public be excluded from the meeting during consideration of the following items on the grounds that it involved the likely disclosure of exempt information as defined in paragraphs 1,2 and 3 of Part 1, Schedule 12A of the Act.

101 **MEMBERS' TRAINING**

The Executive received the report which provided an update on Members' training and included Members' attendance for the training sessions from June 2021 to present and feedback on sessions attended. The report further sought approval to amend the Council's Articles of Association, to ensure that Members sitting on the Planning, Licensing and Audit and Governance Committees attend the appropriate and relevant training required, before being allowed to take their seat on the Committee and to attend at least one relevant training session run by the Council every six months

Particular reference was made to the work undertaken to further promote the function of Scrutiny and the partnership working with other Local Authorities.

The Deputy Leader welcomed the report, and expressed her thanks to the Democratic Services Team for the work that had been undertaken to support Member Development.

**RESOLVED** that the Executive note the Members Training report.

**RECOMMENDED** that Council approve the amendments to the Council's Article of Association as set out in the appendices of the report.

102 **ACQUISITION OF PROPERTY TO SUPPORT LIVEABLE EXETER**

The Executive received the report which sought approval for a budget of £55 million to attempt to acquire and make enhancements to City Centre property, which would further support the delivery of homes elsewhere in the city, as was part of the Liveable Exeter vision for the City.

Particular reference was made to:-

- purchase and subsequent investment would support the management and regeneration of the City as part of the Liveable Exeter vision and encourage visitors to the city;
- detailed discussions with HM Treasury, following which an agreement had been made, that the purchase would be suitable for the Liveable Exeter vision ; and
- all decisions on the use of the location and available options would be presented to Members for approval.

Members commented on the proposal and acknowledged that there was risk involved, but recognised that there was a unique opportunity to purchase key property in the city centre, which would have long term benefits for the wider city and support the aspirations and success of the Liveable Exeter vision.

**RECOMMENDED** that Council approves:-

- (1) a budget of £55 million to enable the Council to enter negotiations to purchase property within the Liveable Exeter programme and provide a budget for enhancements to the property; and
- (2) the appointment of an additional member of staff within Corporate Property to assist with the management of the portfolio.

(The meeting commenced at 5.30 pm and closed at 7.32 pm)

Chair

**The decisions indicated will normally come into force 5 working days after publication of the Statement of Decisions unless called in by a Scrutiny Committee. Where the matter in question is urgent, the decision will come into force immediately. Decisions regarding the policy framework or corporate objectives or otherwise outside the remit of the Executive will be considered by Council on 18 October 2021.**